

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 7254**
Hiroshi YAHATA et al. : Attorney Docket No. 2005_1603A
Serial No. 10/552,371 : Group Art Unit 2621
Filed October 7, 2005 : Examiner Hung Q. Dang

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NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated October 15, 2008 of the Primary Examiner finally rejecting claims 6 and 11.

(X) A timely response to the final rejection has been filed.

() The extension fee of \$ for a month extension of time is submitted with the attached Petition for Extension of Time.

(X) The Appeal Fee of [X] \$540.00 (other than Small Entity)
[] \$270.00 (Small Entity)

(X) is enclosed

() is to be charged to Deposit Account No. 23-0975. The original and two copies of this sheet are enclosed.

() Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which

() is enclosed.

() has been previously submitted.

() The Appeal Fee is not required since it was paid in a prior appeal.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

Hiroshi YAHATA et al.

By /David M. Ovedovitz/
2008.12.02 13:43:29 -05'00'

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December 2, 2008